



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/577,940	07/12/2006	Braj Lohray	GRT/4062-190	5252
23117 7590 09/17/2010 NIXON & VANDERHYE, PC 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203				
EXAMINER				
CHANG, CELIA C				
ART UNIT		PAPER NUMBER		
1625				
MAIL DATE		DELIVERY MODE		
09/17/2010		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-ATTACHMENT TO ADVISORY-

An after final amendment and response filed by applicants dated Sept. 7, 2010 with a declaration under 37 CFR 1.132 have been considered carefully.

The newly amended claims 10-21 and new claims 25-28 will NOT be entered for the following reason:

1. Claims 10-21 and 25-28 do not obviate the new matter rejection but would be considered to contain new matter. Please note that the claimed product is clopidogel bisulfate form I with a m.p. $184\pm 3^{\circ}\text{C}$. The 132 declaration provided five products which have:

	m.p. $^{\circ}\text{C}$
Exp. 1	178-180
Exp. 2	178-180
Exp. 3	182-186
Exp. 4	205-208
Exp. 5	205-212

Please note that none of the product is the claimed product with m.p. of $184\pm 3^{\circ}\text{C}$. The 132 declaration supports that the claims are new matter not the disclosed product.

2. The above evidence also support the 112 enablement rejection since the process as declared did not make the claimed product.
3. After removal of new matter, the claims (3/11/10 version) are still anticipated by US 6,429,210.

/Celia Chang/
Primary Examiner
AU 1625